

**COMMONWEALTH OF KENTUCKY  
EXECUTIVE BRANCH ETHICS COMMISSION  
CASE NO. 12-006**

**IN RE: MARGARET "GERI" MURPHY  
ALLEGED VIOLATION OF KRS CHAPTER 11A**

**INITIATING ORDER  
Initiation of Administrative Proceeding  
And Formal Complaint**

The Executive Branch Ethics Commission (the "Commission"), upon its own motion, initiated a preliminary investigation of Margaret "Geri" Murphy (the "Respondent"), pursuant to KRS 11A.080(1), on December 2, 2011.

At all relevant times the Respondent was a "public servant" as defined in KRS 11A.010(9), and thus subject to the jurisdiction of the Commission.

The Commission initiated the preliminary investigation to determine whether it has sufficient probable cause to believe the Respondent violated provisions of KRS Chapter 11A (also referred to herein as the "Ethics Code").

The Commission focused its investigation upon the Respondent's possible violation of the Ethics Code by influencing a public agency in derogation of the state at large; using her official position to give himself a financial gain and an advantage in derogation of the public interest at large; and using her official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest.

The Commission notified the Respondent of the preliminary investigation by letter dated December 7, 2011. During the course of the investigation, the Commission found probable cause to believe that violations of KRS Chapter 11A had occurred and voted on July 2, 2012, to initiate an administrative proceeding, pursuant to

KRS 11A.080(4)(b) and KRS Chapter 13B, to determine whether the Respondent violated the Ethics Code as set forth in the Allegations of Violations, attached hereto and incorporated fully herein as Appendix A to this Initiating Order.

**IT IS THEREFORE ORDERED** that:

1. The Respondent shall file her answer to this Initiating Order within twenty (20) days from the date of service, verifying the truth and accuracy of any answer submitted.
2. The Respondent shall appear at a hearing to be scheduled by subsequent order and be prepared to defend against the Commission's allegations that she committed the Ethics Code violations set forth in the Allegation of Violations, attached hereto and incorporated fully herein as Appendix A to this Initiating Order.
3. A Hearing Officer will be designated by the Administrative Hearings Branch of the Office of the Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601-8204.
4. The Commission is represented by Kathryn H. Gabhart, General Counsel, and John R. Steffen, Executive Director. They may be contacted through the Commission's office at (502) 564-7954.
5. All original material shall be submitted to the Executive Branch Ethics Commission, #3 Fountain Place, Frankfort, Kentucky 40601. A copy of all materials shall be served on the designated Hearing Officer at the Office of the Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601-8204.
6. The Respondent has the right to legal counsel during this proceeding. If the Respondent retains legal counsel, that person shall file an appearance with the

Commission, and thereafter all correspondence from the Commission to the Respondent shall be mailed or delivered to the Respondent's attorney.

7. The Respondent has the right to examine upon request, at least five (5) days prior to the hearing, a list of witnesses the Commission expects to call at the hearing, any evidence that will be used at the hearing and any exculpatory information in the Commission's possession.

8. The Respondent has the right to subpoena witnesses on her own behalf. If the Respondent subpoenas witnesses, she shall pay for all costs associated with the subpoenas' issuance, including any applicable witness fees.

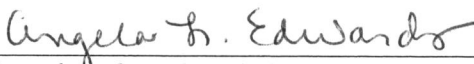
9. If the Respondent fails to attend or participate as required at any stage of the administrative hearing process without good cause shown, she may be held in default pursuant to KRS 13B.050(3)(h).

10. The Respondent has a right to appeal any final Commission order to the Franklin Circuit Court within thirty (30) days of service.

11. This proceeding is subject to KRS Chapter 11A, the Commission's regulations, the provisions of KRS Chapter 13B, and any Order issued by the Commission or its hearing officer issued during this administrative proceeding.

So ordered this 2nd day of July 2012.

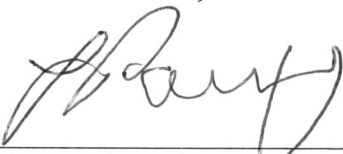
**EXECUTIVE BRANCH ETHICS COMMISSION:**

  
Angela Edwards, Chair

  
W. David Denton, Vice-Chair

  
William L. Knopf, Member

  
William G. Francis, Member

  
Lewis G. Paisley, Member

**APPENDIX A  
CASE NO. 12-006  
INITIATING ORDER**

**ALLEGATION OF VIOLATIONS**

The Respondent, Margaret “Geri” Murphy, was at all relevant times an employee of the Commonwealth of Kentucky, serving in the Department for Community Based Services, Cabinet for Health and Family Services. As such, the Respondent was subject to the jurisdiction of the Commission. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that Margaret “Geri” Murphy committed the following violations:

**COUNT I**

Margaret “Geri” Murphy, during her course of employment as Social Service Clerk I, Department for Community Based Services, used or attempted to use any means to influence a public agency in derogation of the state at large, used her official position to secure or create privileges, exemptions, advantages, or treatment for herself in derogation of the public interest at large.

Specifically, from April 2006 through October 2010, Murphy falsified reports claiming to have performed investigations into the abuse and neglect of children that she had not performed, completed reports with inaccuracies that influenced her public agency and other law enforcement agencies in derogation of the state, and failed to fulfill her job duties while receiving wages and benefits. On August 2, 2011, Murphy was charged in Anderson Circuit Court with nine (9) counts of Tampering with Public Records. On May 22, 2012, Murphy pleaded guilty to all counts.

These facts constitute violations of KRS 11A.020(1)(b) and (d).

KRS 11A.020(1)(b) and (d) provide:

(1) No public servant, by himself or through others, shall knowingly:

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(b) Use or attempt to use any means to influence a public agency in derogation of the state at large; **or**

(d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

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